

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

December 30, 2003

IN RE:

**APPLICATION FOR AUTHORITY TO PROVIDE
OPERATOR SERVICES AND/OR RESELL
TELECOMMUNICATIONS SERVICES IN TENNESSEE
PURSUANT TO RULE 1220-4-2-.57**

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**DOCKET NO.
99-00815**

Company ID: 128451

**ORDER REVOKING AUTHORITY TO PROVIDE OPERATOR SERVICES
AND/OR RESELL TELECOMMUNICATIONS SERVICES IN TENNESSEE
FOR NON-PAYMENT OF FEES**

This matter came before Director Pat Miller, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 8, 2003, to cancel the authority of TON Services, Inc. (the "Company") to offer operator services and/or resell telecommunications services in Tennessee due to non-payment of its annual inspection fee pursuant to Tenn. Code Ann. § 65-4-301(a).¹

The Company originally filed its Application to provide operator services and/or resell telecommunications services within the State of Tennessee on November 19, 1999. During a regularly scheduled Authority Conference held on January 11, 2000, the Directors concluded that the Company had met all the requirements for certification and the requirements of Tenn. Comp.

¹ Tenn. Code Ann. § 65-4-301(a) provides:

Every public utility doing business in this state and subject to the control and jurisdiction of the Authority to which the provisions of this chapter apply, shall pay to the state of Tennessee on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility.

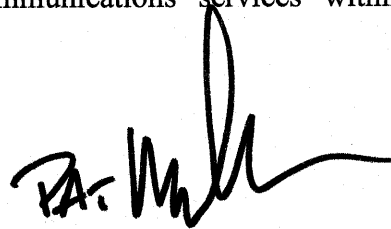
R. & Regs. 1220-4-2-.57 which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 and Tenn. Code Ann. § 65-4-201, and voted unanimously to authorize the Company to provide operator services and/or resell telecommunications services in Tennessee.

An initial notice advising the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-301(a), was mailed on February 7, 2003. A second notice was mailed on May 5, 2003. Finally, a Notice of Cancellation was mailed on July 10, 2003 via certified mail. The Company failed to respond. As a result of this failure, this matter was placed on the September 8, 2003 Authority Conference for the voting panel assigned to this docket to consider revocation of the authority of the Company to provide operator services and/or resell telecommunications services due to non-payment of fees.

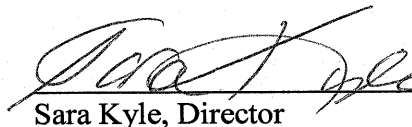
Based upon careful consideration of the record of this matter, the panel voted unanimously to revoke the authority of the Company to provide operator services and/or resell telecommunications services in Tennessee.

IT IS THEREFORE ORDERED THAT:

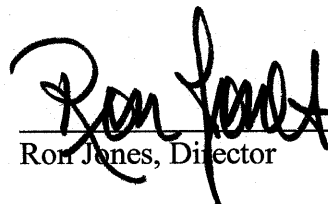
As a result of the non-payment of fees, the authority granted to TON Services, Inc. to provide operator services and/or resell telecommunications services within the State of Tennessee is revoked, and this docket is closed.



Pat Miller, Director



Sara Kyle, Director



Ron Jones, Director